

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

*Plaintiff,*

v.

**NOTICE OF MOTION**

FRANK R. PARLATO, JR.

*Defendant.*

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Case No.: 15-cr-00149(RJA)

SIRS:

PLEASE TAKE NOTICE, that upon the annexed affidavit of Herbert L. Greenman the undersigned provides to the Court a notice received by the Monroe County Sheriff's Office that a warrant previously filed against Frank Parlato has been recalled and a memorandum of no action by the Office of the State Attorney, Sixteenth Judicial Circuit, Key West, Florida declining to file charges against Mr. Parlato, together with such other and further relief as to this Court may deem just and proper.

DATED: Buffalo, New York  
December 17, 2021

Respectfully submitted,

/s/Herbert L. Greenman

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HERBERT L. GREENMAN, ESQ.  
JUSTIN G. GINTER, ESQ,  
Attorneys for Defendant  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

*Plaintiff,*

v.

**AFFIDAVIT**

FRANK R. PARLATO, JR., et al

*Defendant.*

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Case No.: 15-cr-149(RJA)

STATE OF NEW YORK )  
COUNTY OF ERIE )ss  
CITY OF BUFFALO )

HERBERT L. GREENMAN, ESQ. being duly sworn, depose and say:

- 1) I am an attorney for the defendant Frank R. Parlato, Jr. together with co-counsel Paul J. Cambria, Jr, Esq. and Justin Ginter, Esq.
- 2) On December 16, 2021 I received a notice signed by the Monroe County Sheriff's Office indicating that a warrant against Mr. Parlato has hereby been withdrawn together with a Memorandum of No Action indicating that the State of Florida declines to file charges against Mr. Parlato.
- 3) These documents are in relation to a Violation Petition filed against Mr. Parlato and which are the subject of proceedings scheduled for December 20, 2021.

/s/Herbert L. Greenman  
Herbert L. Greenman, ESQ.

Subscribed and sworn to before me this  
17<sup>th</sup> day of December, 2021

/s/Elizabeth M. Jagord-Ward

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Notary Public State of New York,  
Qualified in Erie County  
My Commission Expires October 31, 2022.